

JUDGE CRIM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

PEDRO RAMIREZ,

Defendant.

CALLY FILED

DEC 10 2007

INDICTMENT

07 Cr.

07 CRIM 1126

COUNT ONE

The Grand Jury charges:

1. From on or about September 3, 2007, through on or about September 8, 2007, in the Southern District of New York and elsewhere, PEDRO RAMIREZ, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that PEDRO RAMIREZ, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York;

a. On or about September 8, 2007, PEDRO RAMIREZ, the defendant, traveled to the vicinity of 34th Street and 10th Avenue, New York, New York in order to accept a delivery of six kilograms of heroin in exchange for \$8,000 as payment of delivery fee.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, PEDRO RAMIREZ, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds said defendant obtained directly or indirectly as a result of said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Assets Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

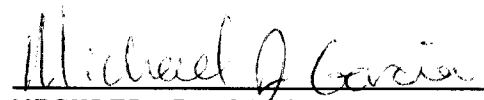
(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

07 Cr.

(21 U.S.C. § 846.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

12/10/07 Filed indictment. Case assigned to
Judge Chen
of Maj. Judge Lat